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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/737,392	12/16/2003	Julia Y. Larikova	PB 01 0035	7630
45149 7590 05/16/2007				
• TELLABS OPERATIONS, INC. LEGAL DEPARTMENT 1415 WEST DIEHL ROAD NAPERVILLE, IL 60563			EXAMINER NGUYEN, TUNG X	
			ART UNIT 2829	PAPER NUMBER
			MAIL DATE 05/16/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/737,392

Applicant(s)

LARIKOVA ET AL.

Examiner

Tung X. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-10,21,22,26 and 27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-10,21,22,26 and 27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of group I including claims 6-10, 21-22, and 26-27 in the reply filed on 2/12/07 is acknowledged.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 6, 26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It's unclear how the step of "verifying a high-speed electrical component to be golden" as recited in claim 6; and the step of "verifying the high-speed electrical component to be golden comprises verifying the high-speed electrical components as operating according to product application requirements" as recited in claim 26 are performed. To apply the art, examiner considers the optical equipment (18) of Chan (u.s.p 4,775,640) is a golden high-speed component, because it requires producing the good/steady signals within the specific range for testing the device under test (DUT).

The term "high-speed electrical component" in claim 6 is a relative term which renders the claim indefinite. The term "high-speed electrical component" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. How high-speed does the electrical component perform in the

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apparatus for testing the device under test? To apply the art, examiner considers "high-speed electrical component" to arbitrarily mean --- electrical component ---

The other claims depend from the claim 6; they are rejected for the same reasons.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6-7, and 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chan (u.s.p 4,775,640), Ishikawa (u.s.p 4,891,577)

For examining purpose, examiner considers the optical equipment (18) of Chan is a golden high-speed component, because it requires producing the good/steady signals within the specific range for testing the device under test (DUT).

As to claims 6, 26, Chan discloses in Figs. 1-2, a method for testing an optical component, the method comprising steps of:

Connecting the optical component (34) to a probe (21);

Connecting the probe to electrical component (18);

Transmitting a electrical signal (via 21) from the electrical component to the optical component (34); and

Identifying a response by optical component to the electrical signal (col. 2, lines 65-68).

Chan is silent about the high-frequency probe.

However, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the system of Chan, and replace the high-frequency probe, as taught by Ishikawa for contacting the device under test to transmit high frequency signals.

As to claim 7, Chan discloses in Figs. 1-2, evaluating the response by optical component (via 15, 18; and col. 3, lines 1-15).

As to claim 27, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to recognize that the electrical component is located on an application PCB, because it is easily to protect all of the components, quickly assemble, and save time.

Allowable Subject Matter

6. Claims 8-10, 21-22 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

As to claim 8, the prior art of record does not teach the step of adjusting the high-speed electrical signal.

As to claim 9, the prior art of record does not teach the step of evaluating the response by the optical component comprises determining if the optical component responds in substantially the same manner as a golden optical component would respond to a substantially equivalent high-speed electrical signal.

As to claim 10, the prior art of record does not teach the step of evaluating the response by the optical component comprises comparing if the response is substantially the same as a golden optical component response to a substantially equivalent high-speed electrical signal.

These features in combination with the other elements of the claim are neither disclosed nor suggested by the prior art of record.

The claims 21-22 depend from the claim 8; they are objected for the same reasons.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung X. Nguyen whose telephone number is (571) 272-1967. The examiner can normally be reached on 8:30am-5:00pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ha T. Nguyen can be reached on (571) 272-1678. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to be 'M. L. S.', is positioned above the date and initials.

TN
5/12/07